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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Matter of Refusal to Accept Maintenance Fee:

2008 JAN 25 PM 3:54

Inventors : Tat Hung Tong
Assignee : Cornerstone Research Group, Inc.
Patent No. : 6,759,481
Filed : Jan 24, 2003
Issued : Jul 6, 2004
Title : Shape Memory Styrene Copolymer
Docket : P35US00
Customer No. 58232

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FEB 04 2008

OFFICE OF PETITIONS

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

**PETITION UNDER 37 C.F.R. § 1.377 TO ACCEPT MAINTENANCE FEE
PAYMENT**

Cornerstone Research Group Inc. respectfully requests a review of the decision to refuse to accept and record payment of a maintenance fee filed prior to expiration for U.S. Pat. No. 6,759,481.

On June 4, 2002, Application 10/056,590 was properly assigned by the Inventor to Johnson & Johnson Vision Care, Inc., and recorded at Reel 012766, Frame 0517. On July 6, 2004 Application No. 10/056,590 issued as U.S. Pat. No. 6,759,481.

On March 6, 2007, U.S. Pat No. 6,759,481 was properly assigned to Cornerstone Research Group Inc. ("Assignee") by Johnson & Johnson Vision Care, Inc. ("Assignor"). On March 9, 2007 the assignment was filed and recorded by the U.S.P.T.O. at Reel 018972, Frame 0813, a copy of said assignment is attached as Exhibit 1.

On December 10, 2007, Assignee filed a Request to Change the Correspondence Address in Patent and said request is attached as Exhibit 2. An auto-reply facsimile was received by Assignee from the U.S.P.T.O confirming receipt of the Assignee's Request to Change the Correspondence Address in Patent on December 10, 2007, and is attached as Exhibit 3.

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Assignee was prepared to pay the three and one-half year maintenance fee prior to the due date of January 6, 2008; however Assignee could not pay the maintenance fee prior to January 6, 2008 as the correspondence address and entity status associated with U.S. Patent No. 6,759,481 had not been changed as requested by Assignee on December 10, 2007. As such Assignee was unable to pay the maintenance fee as Assignee claims small entity status while Assignor claims large entity status. Additionally, while Assignee cannot confirm that Johnson & Johnson Vision Care, Inc., paid the maintenance fee for U.S. Pat. No. 6,759,481, the deposit account for Assignee does not indicate payment of maintenance fee on the date in question, thus Assignee did not pay the maintenance fee.


As of the date of this petition Jan 15, 2008, the correspondence address has not been updated. Therefore, Assignee respectfully requests the following: (1) that the U.S.P.T.O accept as the timely, payment of the maintenance fee in the amount of Four hundred and Sixty-five and 00/100 Dollars (\$465.00) and (2) that the U.S.P.T.O refund the Two hundred and 00/100 Dollar (\$200.00) fee required to file this petition as the U.S.P.T.O failed to timely update the correspondence address based upon the filing of the assignment and/or failed to timely update the correspondence address in accordance with the Request to Change the Correspondence Address in Patent which was filed via facsimile transmission on December 10, 2007.

Assignee hereby authorizes the Commissioner to charge the petition fee, maintenance fee, any maintenance late fees and any other fee necessary to ensure entry of this petition to Assignee's Deposit Account No. 503719 and to credit any amounts or refunds due to same.

Respectfully Submitted,

CORNERSTONE RESEARCH GROUP, INC.

Date: January 15, 2008

By: 
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